

of minority children who are lactose intolerant and experience adverse health effects simply because, in practice, dairy is the only type of milk offered in schools.

The rates of lactose intolerance in these communities is surprisingly high with 65 percent of Latino students, 75 percent of Black students, and 90 percent of Asian students unable to digest dairy milk without detrimental effects.

Many children don't make the connection between consumption of this product and their feelings of discomfort and even illness. Right now, children who suffer adverse reactions from cow's milk must get a doctor's note if they choose not to accept traditional milk in their lunch. This is partly due to Congress' "milk note" requirement which places an unfair burden squarely on minority children.

Lactose intolerance causes a range of health effects, from stomach pains and digestive problems to exacerbated asthma symptoms. This makes learning more difficult for children.

America needs to embrace a diverse lunch counter solution.

#### PROTECTING SPEECH FROM GOVERNMENT INTERFERENCE ACT

The SPEAKER pro tempore (Mr. WILSON of South Carolina). Pursuant to House Resolution 199 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 140.

Will the gentleman from Nevada (Mr. AMODEI) kindly take the chair.

□ 1212

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 140) to amend title 5, United States Code, to prohibit Federal employees from advocating for censorship of viewpoints in their official capacity, and for other purposes, with Mr. AMODEI (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, March 8, 2023, amendment No. 6, printed in House Report 118-7 offered by the gentlewoman from Texas (Ms. JACKSON LEE) had been disposed of.

#### AMENDMENT NO. 9 OFFERED BY MR. ROSE

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 118-7.

Mr. ROSE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, after line 16, insert the following (and redesignate subsequent subsections):

“(e) ANNUAL TRAINING.—Not less than annually, the head of each employing agency shall provide mandatory training on this section and the requirements of this section to each agency employee.”.

The Acting CHAIR. Pursuant to House Resolution No. 199, the gentleman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. ROSE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of my amendment designated as Amendment No. 9 to H.R. 140, the Protecting Speech from Government Interference Act, and I thank my friend from Kentucky (Mr. COMER) for introducing this important piece of legislation.

Federal employees should absolutely not be censoring lawful speech, and I am proud to support this bill which will clearly prohibit that practice.

My straightforward amendment simply requires mandatory annual training on the requirements of the underlying bill. We were all recently made aware of the shameful instances of Federal Government-driven censorship that occurred in conjunction with Twitter over the last several years, and with that revelation, we must be suspicious that similar censorship has occurred in conjunction with other Big Tech social media platforms.

The goal of H.R. 140 is to eliminate such instances of Federal Government censorship, and my amendment furthers that goal by requiring Federal employees to undergo annual training to inform and remind them of their obligations under this bill to refrain from any and all censorship activities.

□ 1215

Kara Frederick, director of The Heritage Foundation's Tech Policy Center, recently penned a Heritage Foundation backgrounder titled: “Combating Big Tech's Totalitarianism: A Road Map.”

In her piece, Ms. Frederick writes: “The Biden administration is attempting to circumvent the Constitution by pressuring private tech companies to take down content under a broad and politically biased definition of misinformation. When Big Tech companies do the government's bidding by removing users and content that the government tells them are objectionable, they are essentially acting as government agents, a potential violation of the First Amendment.”

Mr. Chair, I am proud that this Congress has made this bill a priority. Government censorship and government-pressured censorship of lawful speech are just plain wrong.

Today, we are pushing back on this anti-freedom activity. My amendment will strengthen H.R. 140 by helping to ensure a high level of compliance with its requirements.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Ms. STANSBURY. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from New Mexico is recognized for 5 minutes.

Ms. STANSBURY. Mr. Chair, I rise in opposition to this amendment, which

is, as the gentleman has described, a simple training requirement to ensure that this act is implemented correctly. Seems like a perfectly reasonable thing in and of itself; that is, it would be if the actual underlying bill that it seeks to modify was reasonable and not some sort of bizarre, Orwellian doublespeak designed to mislead the American people about what this bill is actually about.

Nothing about this bill is reasonable. Nothing about this bill, the process of how it has been brought to the floor, and how it has misled the people of our country about what is happening is normal. It does not secure the freedom of speech or any other freedoms of the American people. It actually endangers them.

In fact, it imperils our democracy by handcuffing the ability of law enforcement, national security, and intelligence officials to provide factual, critical information to social media companies and the public in order to prevent crimes or to ensure that election fraud tampering does not occur and that there is no foreign interference with our elections.

This is not some unintended consequence of the bill; rather, it is the entire point of this bill, as my Republican colleagues have conceded.

When we marked up this bill in the Oversight Committee, Chairman COMER produced two emails from a single FBI agent to Twitter that he said were “the purpose of the bill.” You might be asking, what terrible censorship was the FBI trying to achieve in those emails? When Democrats were finally provided with the email content, it was an email to Twitter from the FBI identifying fraudulent election tweets. In fact, the content identified that there were multiple tweets that were misleading about the time, place, or manner of voting in the upcoming election.

This is the smoking gun that they are claiming is taking away our freedoms—that is right—election misinformation that was meant to deceive American voters, which the FBI flagged as part of their course of business. They would like to hamper the ability of our FBI and our law enforcement to be able to do their jobs.

This is, of course, the same party that has engaged in voter suppression for countless decades, so we probably shouldn't be surprised.

We know that the American people not only want us to protect their voting rights and their basic rights to express themselves, their freedoms as protected by the Bill of Rights and our Constitution, but we also want our public servants to be able to do their jobs and to do their jobs with integrity and ensure the integrity of our election system.

Democrats sought to try to address some of the grave flaws in this bill and address the supposed intent of the bill by submitting 43 separate amendments for floor consideration. In fact, only one was made in order.

Republicans, on the other hand, submitted 20 amendments, many like this one, ignoring the dangers of the underlying bill and not wanting to improve it to protect American freedoms but simply tinker around the edges to make it more enforceable.

My question is, why are we voting on this amendment and not Congressman TORRES' amendment to ensure the bill does not prohibit Federal officials from preventing and addressing cyberattacks?

Why are we voting on this amendment and not Congressman LYNCH's amendment to ensure the bill does not prohibit Federal officials from protecting our national security?

Why are we voting on this amendment and not Congressman GOLDMAN's amendment to ensure that the bill does not prohibit Federal officials from fighting foreign election interference, as occurred in the 2016 election?

Mr. Chair, I urge my colleagues to oppose this amendment and oppose this bill. It does nothing to improve a deeply dangerous bill.

Mr. Chair, I reserve the balance of my time.

Mr. ROSE. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, when it comes to censorship or pressured censorship by Federal Government employees, ignorance is not bliss. My amendment seeks to further the anti-censorship goals of H.R. 140 by requiring mandatory education for Federal employees on the bill's new anti-censorship requirements.

Therefore, because of my amendment, Federal employees will not be able to claim ignorance of the new requirements we are implementing in the Protecting Speech from Government Interference Act.

Mr. Chair, I urge Members to vote "yes" on my amendment and the underlying bill, and I yield back the balance of my time.

Ms. STANSBURY. Mr. Chair, I will take a moment to reiterate that this bill is not as it appears or the majority is proposing it appears to the American public.

This bill is not about defending the basic right to free speech and our constitutional rights. This bill is about hamstringing the ability of Federal law enforcement, our national security staff, and others in the Federal Government from protecting our country from election interference.

This amendment would make the enforcement of that bill stronger by requiring training to further censor and allow for interference in our elections.

I am opposed to this amendment, and I rise in opposition to the bill.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. ROSE).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. ROSE

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 118-7.

Mr. ROSE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

**SEC. 3. CONGRESSIONAL FINDINGS.**

The Congress finds that inspectors general should not less than annually for the next seven years publicly report the number of complaints and tips received, the number of investigations opened, and statistics on how investigations were managed and their disposition by that inspector general related to compliance with this Act and the amendments made by this Act.

The Acting CHAIR. Pursuant to House Resolution 199, the gentleman from Tennessee (Mr. ROSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. ROSE. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise in support of my amendment designated as amendment No. 10 to H.R. 140, the Protecting Speech from Government Interference Act.

Mr. Chair, I sincerely hope that after H.R. 140 is enacted, there are zero violations of the bill's new anti-censorship requirements. However, if any violation or allegations of violations do occur, then the public has a right to know.

My amendment is simple. It states that it is the sense of Congress that inspectors general should publicly report the number of complaints and tips received, the number of investigations opened, and statistics on how investigations were managed and their disposition by the inspector general related to compliance with the underlying bill.

The amendment specifies that the inspectors general should publicly report no less than annually. The amendment also sunsets after 7 years.

Whether or not my colleagues on the other side of the aisle support the underlying Protecting Speech from Government Interference Act, I hope they will support this amendment as it is vital that the public have an accurate picture of whether the laws that Congress passes are being followed.

Public reporting of the number of tips and complaints received and statistics on investigations related to compliance with H.R. 140 is a pro-transparency measure to hold the government accountable that I hope we all can support.

This amendment is a commonsense and gentle nudge to inspectors general that it is the sense of this body that public reporting related to compliance with this bill is an important endeavor.

Mr. Chair, I urge support of my amendment, and I reserve the balance of my time.

Ms. STANSBURY. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from New Mexico is recognized for 5 minutes.

Ms. STANSBURY. Mr. Chair, our inspectors general conduct vital work on behalf of the American people. They help to safeguard taxpayer dollars and government operations from waste, fraud, abuse, and mismanagement, and they investigate what occurs inside our Federal agencies. To ask them to waste their finite resources and staffing on an annual reporting requirement for a bill that actually threatens the freedom of the American people and the American public and electoral system is gravely antithetical to their missions and their purpose and is, itself, an act of waste, fraud, abuse, and mismanagement. Nobody could act in good conscience to support this amendment.

One of the most concerning aspects of this bill is that it creates a waiting period of at least 72 hours before law enforcement officials can take action to prevent or respond to most crimes or threats they identify, either on or involving social media platforms.

Let's imagine that you are a Federal official, an FBI investigator, and you see information being shared online that indicates that a sexual assault is imminent, some sort of violence is about to occur, there is some sort of election fraud about to occur. Under this bill, you would have a decision to make. Do you write and file a lengthy report to Congress and then wait 72 hours until it is too late, or do you act immediately, knowing that you might be subject to a \$50,000 fine or might be barred from Federal service for 10 years because you reported something that has been tagged as censored speech under this bill and amendment?

Thanks to the excellent bipartisan work of Congresswoman HOULAHAN and Congresswoman MACE, we could have been considering a very different kind of amendment here on the floor today, one that would have made sure that this bill still allowed enforcement officials to act immediately in this exact case.

□ 1230

My Republican colleagues would not allow this amendment to come to the floor today, choosing, instead, to waste our time and the time and resources of our Federal agencies on this amendment. They choose a do-nothing, wasteful reporting requirement over a bipartisan amendment that would protect the safety, in many instances, even the lives, of women and Americans across the country. It is outrageous.

I believe that this bill and this amendment are dangerous, and I urge my colleagues to oppose this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. ROSE. Mr. Chair, I have no further speakers and I am prepared to close. I reserve the balance of my time.

Ms. STANSBURY. Mr. Chair, in closing, I will note one final time that this bill and its proposition are deeply dangerous. It proposes to actually address

free speech and censorship when, in fact, it would hamstring our Federal officials.

This amendment adds dangerous changes to the bill that would make it even more difficult for our Federal officials to do their job.

I am opposed to the amendment, and I am strongly opposed to the bill itself.

Mr. Chair, I reserve the balance of my time.

Mr. ROSE. Mr. Chair, I yield myself the balance of my time.

By voting "yes" on Amendment 10, Members are reaffirming their commitment to transparency and government accountability. If my amendment passes, along with the underlying bill, the American people will be more well-informed of violations of the underlying bill.

In closing, I urge Members to vote "yes" on my amendment and the underlying bill.

Mr. Chair, I yield back the balance of my time.

Ms. STANSBURY. Mr. Chair, I think we have well established that not only the premise of this bill, but many of the requirements in it, are dangerous for our Federal law enforcement, dangerous to our constitutional rights, dangerous to the American people, and dangerous to our national security and our electoral system.

Yet, the way it is being proposed to the American people is that it will defend their rights and their rights to speak freely under the First Amendment.

During our markup of this bill, we talked about gaslighting. Gaslighting is the act of when somebody in authority actually makes you believe you are crazy because the truth of what is occurring is actually the opposite.

This bill is a dangerous gaslighting of the American people. We will not stand for it. It is dangerous to our democracy. It is dangerous to our elections, and it is dangerous for the people of this country.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. ROUZER). The question is on the amendment offered by the gentleman from Tennessee (Mr. ROSE).

The amendment was agreed to.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. AMODEI) having assumed the chair, Mr. ROUZER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 140) to amend title 5, United States Code, to prohibit Federal employees from advocating for censorship of viewpoints in their official capacity, and for other purposes, and, pursuant to House Resolution 199, he

reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. LANDSMAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Landsman of Ohio moves to recommit the bill H.R. 140 to the Committee on Oversight and Accountability.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. LANDSMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

#### PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, DEPARTMENT OF DEFENSE AND THE ENVIRONMENTAL PROTECTION AGENCY

Mr. GRAVES of Missouri. Mr. Speaker, pursuant to House Resolution 199, I call up the joint resolution (H.J. Res. 27) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Army, Corps of Engineers, Department of Defense and the Environmental Protection Agency relating to "Revised Definition of 'Waters of the United States'", and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 199, the joint resolution is considered read.

The text of the joint resolution is as follows:

#### H.J. RES. 27

*Resolved by the Senate and House of Representatives of the United States of America in*

*Congress assembled,* That Congress disapproves the rule submitted by the Department of the Army, Corps of Engineers, Department of Defense and the Environmental Protection Agency relating to "Revised Definition of 'Waters of the United States'" (88 Fed. Reg. 3004 (January 18, 2023)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees.

The gentleman from Missouri (Mr. GRAVES) and the gentleman from Washington (Mr. LARSEN) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri (Mr. GRAVES).

#### GENERAL LEAVE

Mr. GRAVES of Missouri. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.J. Res. 27.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am proud to rise in support of H.J. Res. 27, which I introduced, to negate an ill-timed and ill-conceived rule coming out of the Biden administration which, if Congress fails to act, will go into effect later this month.

The Clean Water Act is landmark legislation that was signed into law 50 years ago that has greatly improved the health of the Nation's waters.

Unfortunately, we have consistently seen increasingly expansive interpretations of the Clean Water Act result in the implementation of a flawed and overreaching water policy. This has hindered our ability to achieve the Clean Water Act's true underlying water quality goals.

There is no clearer example of this overreach than the debate over the definition of waters of the United States, or WOTUS.

Decades of agency interpretation and misinterpretations have created uncertainty for rural communities, for farmers, for ranchers, for businesses and industries who rely on clean water.

Although the 2020 Navigable Waters Protection Rule finally provided long-awaited clarity on the scope of WOTUS, the new administration decided to unravel the water protection rule and attempt to replace it, once again, creating confusion and chaos.

The definition of WOTUS matters to the everyday lives of people all over the country, including in my district.

For instance, I have a constituent who wanted to build a pond on his property and had received local and State permits to do just that. But then the Army Corps of Engineers, they stepped in and they said he would have